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6 IN THE UNITED STATES DISTRICT COURT

7 DISTRICT OF ARIZONA

8 United States of America,

9 **No. 08-7033-M**

10 Plaintiff,

11 vs.

12 Julio Gonzalez-Cervantes,

13
14 **ORDER**
(First Request)

Defendant.

15 HAVING considered Defendant Julio Gonzalez-Cervantes' Motion to Extend
16 Time to Indict and good cause having been shown;

17 THE COURT makes the following findings:

18 1. Counsel for defendant has only recently been appointed;

19 2. The defendant earnestly wishes to consider the plea offer extended by
20 the government;

21 3. The defendant wishes to investigate possible defenses prior to
22 considering the government's plea offer;

23 4. The government's plea offer, if accepted by the defendant and then the
24 court, would likely reduce defendant's exposure to a significant term
of imprisonment;

25 5. If the defendant does not timely accept the plea offer prior to
26 indictment, the government will withdraw said plea offer and any
27 subsequent plea offer after indictment would likely be less
advantageous to the defendant;

28 . . .

1 6. Failure to extend time for indictment in this instance would thus operate
2 to bar defendant from reviewing the government's plea offer in a
3 meaningful way prior to indictment; and

4 7. The ends of justice served by this continuance outweigh the best
5 interest of the public and the defendant in a speedy indictment.

6 **IT IS HEREBY ORDERED** that defendant's Motion to Extend Time for Indictment
7 requesting an extension of thirty (30) days within the government may seek to indict
8 defendant, is hereby granted.

9 **IT IS FURTHER ORDERED** that pursuant to the Speedy Trial Act, 18 U.S.C. §
10 3161, the Government shall have an extension of thirty (30) days to file a timely Indictment.
11 Excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days
12 in which the Government may present the case to the grand jury.

13 DATED this 4th day of March, 2008.

14 
15 Lawrence O. Anderson
16 United States Magistrate Judge